GPN-J-332-ARHCB-8_94-13,10,500-ALA4.
SPL.H.C.A.S.C.D. 79e.

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.
WRIT PETITION NO. 88 OF 2005

Mandakini Manohar Mane ..... Petitioner

versus

State of Maharashtra and others .... Respondent.

Office Notes, Office Memorada orders or directions and Registrar‘s orders.

Court‘s or Judge‘s Orders.

Shri R.K.Mendadkar for the petitioner.
Shri R.D. Rane AGP for the State.

CORAM; V.G. PALSHIKAR &
SMT. NISHITA MHATRE, JJ.

DTAED; 18TH JANUARY, 2005.

P.C.

1. By this petition, the petitioner has challenged the order passed by the Caste Scrutiny Committee invalidating the certificate of the petitioner belonging to Mahadeo Koli Tribe. A perusal of the impugned order discloses, careful consideration of entire material on record and the findings given are based on substantial evidence and its proper appreciation. There is no reason why such well reasoned

order should be interfered with under Article 226. It is liable to be confirmed and is hereby confirmed.

2. It is then submitted by the learned counsel for the petitioner that the petitioner is already admitted to medical college on the basis of this certificate which is now invalidated and is studying for the last two years. Now even by her being required to give up her studies, nobody will be benefited. The seat vacated by her now would be wasted for the remaining period. Nobody else can be granted that seat now because the course has progressed by two years. Apparently there is no evidence on record to show that the malafides were of the student herself. In such circumstances, we see no reason that the benefit of continuing her study in the seat already

alloted to her be not given to her. We therefore dispose of this petition maintaining the order of invalidation, but direct the respondent to continue the petitioner in the medical course till she completes the BAMS examination. The petition accordingly disposed of.

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